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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,710	07/25/2000	Tetsuro Motoyama	5244-0130-2	2720

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1940 DUKE STREET
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EXAMINER

SHAW, JOSEPH D

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 04/16/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/575,710

Applicant(s)

MOTOYAMA ET AL.

Examiner

Joseph D Shaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6-11,13,14,16-21,23,24 and 26-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-11,13,14,16-21,23,24 and 26-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 6-8, 11, 13, 16-18, 21, 23, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama (5,887,216) in view of Walker et al. (5,963,911).

a. As per claims 1, 11, and 21, Motoyama teaches:

a receiver configured to receive the at least one of the device state and the device event of the remotely located device (receives image density information from the monitored device; Fig. 8; col. 10, lines 9-14);

a digital storage system configured to maintain a history of the at least one of the device state and the device event of the remotely located device, and a service history of the remotely located device (database contains various information such as service history, malfunctions, and other special conditions and events; Figs. 9A - 9C; col. 10, lines 4-7, 51-55); and

an analyzer configured to analyze the service history and the at least one of the device state and the device event of the remotely located device to determine a service request to be performed on the remotely located device (monitoring device analyzes received

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information by comparing it with values in the database and determines that it is appropriate to change the parameters of the remotely located device; Fig. 8; col. 10, lines 14-18).

However, the Motoyama invention only teaches transmitting the service request to the remotely located device (col. 10, lines 18-21), and therefore fails to teach the service request being sent to a service depot, where the service request is analyzed, and then sent to the remotely located device. Walker teaches:

a service depot comprising a computer configured to receive service requests from an analyzer and analyze the service requests (computer (service depot) connected to the telecommunications system can also review alarms (service requests) from a fault monitoring system (analyzer) associated with the telecommunications network; col. 6, lines 4-14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Motoyama invention to instead of having the service request go directly to the remote device, as taught by Motoyama, have the service request go to a service depot for further analysis, as taught by Walker, before sending the service request to the remotely located device, because the service depot can then efficiently schedule technicians to handle each job (repair the device) if necessary, as taught by Walker (col. 5, lines 49-67).

However, the modified Motoyama invention still does not explicitly teach the service depot communicating with the remote device or analyzer over a Wide Area Network (WAN). "Official Notice" is taken that both the concept and advantages of electronic devices communicating over a WAN are well known and expected in the art.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to have the service depot in the modified Motoyama invention communicate via a WAN because WAN communication is a popular, easy to implement technology that is based on industry standards allowing remote devices to communicate efficiently.

b. As per claims 3, 13, and 23, Motoyama discloses the claimed invention modified as described above. However, the modified Motoyama invention does not explicitly teach the Wide Area Network comprising the Internet. "Official Notice" is taken that both the concept and advantages of the WAN comprising the Internet are well known and expected in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have the WAN in the modified Motoyama invention comprise the Internet because the Internet allows for the communication across various private networks, allowing the various devices in the modified Motoyama invention to exist on different networks.

c. As per claims 6, 16, and 26, Motoyama discloses the claimed invention modified as described above. Furthermore, Motoyama teaches:

the receiver configured to obtain system information from the device over a Wide Area Network (business office machines communicate with remote monitoring devices through the Internet; col. 4, lines 37-42).

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d. As per claims 7-8, 17-18, and 27-28, Motoyama discloses the claimed invention modified as described above. Furthermore, Motoyama teaches:

the device comprising a business office machine, wherein the business office machine comprises at least one of a copier, a printer, a fax, a scanner, and a thin server (the monitored devices can be a digital copier, facsimile machine, or printer; Figs. 1-2; col. 4, lines 27-31).

3. Claims 4, 14, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama (5,887,216) in view of Walker et al. (5,963,911) as applied to claims 1, 11, and 21 above, and further in view of Struck et al. (5,864,783).

e. As per claims 4, 14, and 24, Motoyama discloses the claimed invention modified as described above. However, the modified Motoyama invention does not explicitly teach transmitting the service history to the service depot. Struck teaches that service technicians (service depots) should be able to retrieve a complete service history of the device (col. 4, line 63 - col. 5, line 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to transmit the service history to the service depot in the modified Motoyama invention, the same way the service technician can retrieve service history in Struck, because having a complete service history of the device saves critical time, facilitates both the diagnosis and repair portions of the procedure, and further minimizes the resources required for servicing the device, as taught by Struck (col. 5, lines 1-5).

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4. Claims 9-10, 19-20, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama (5,887,216) in view of Walker et al. (5,963,911) as applied to claims 1, 11, and 21 above, and further in view of Othmer et al (6,167,358).

f. As per claims 9-10, 19-20, and 29-30, Motoyama discloses the claimed invention modified as described above. However, the modified Motoyama invention does not explicitly teach the remotely located device comprising a mobile unit, in particular an automobile. Othmer teaches a system for remotely monitoring machines including automobiles (col. 6, lines 26-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include monitoring automobiles, as taught by Othmer, in the modified Motoyama invention because monitoring such machines would allow for the detection of defects and malfunctions, as taught by Othmer (col. 4, lines 19-23, lines 33-34).

Response to Arguments

5. Applicant's arguments with respect to claims 1, 3-4, 6-11, 13-14, 16-21, 23-24, and 26-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D Shaw whose telephone number is 703-305-0094. The examiner can normally be reached on Monday - Thursday and alternate Fridays, 7am - 4pm.

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7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph Shaw
Examiner
AU 2141


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER